

JFW

PATENT  
Docket No. 342312004300

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

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Mei Y. Leung

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Marco CAVALERI et al.

Serial No.: 10/714,261

Filing Date: November 14, 2003

For: METHODS OF ADMINISTERING  
DALBAVANCIN FOR TREATMENT  
OF BACTERIAL INFECTIONS

Examiner: Not Yet Assigned

Group Art Unit: 1614

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

Applicants would like to draw the Examiner's attention to the co-pending application listed below:

Application Serial Number: 10/493,558, by L. Colombo et al. filed on November 14, 2003.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

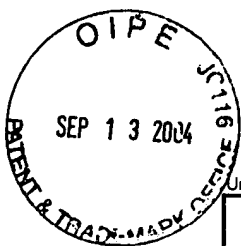
In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 342312004300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 9, 2004

Respectfully submitted,

By: Jill A. Jacobson  
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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/714,261
		Filing Date	November 14, 2003
		First Named Inventor	Marco CAVALERI
		Art Unit	1614
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	6 pages + 10 references	Attorney Docket Number	342312004300

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (Supplemental) (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)  <div>Remarks</div>	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"><li>• Form PTO-1449 (original + 1 copy (2 pages total))</li><li>• 10 References</li><li>• Return Receipt Postcard</li></ul>
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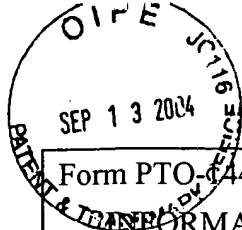
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Jill A. Jacobson - 40,030
Signature	
Date	September 9, 2004

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Dated: September 9, 2004

Signature: (Mei Y. Leung)



Form PTO-6449

Docket Number 342312004300

Application Number 10/714,261

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Marco CAVALERI et al.

Filing Date November 14, 2003

Group Art Unit 1614

Mailing Date September 9, 2004

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	1.	06/03/2004	WO 2004/045636	WIPO			
	2.	06/03/2004	WO 2004/045637	WIPO			
	3.	06/03/2004	WO 2004/046196	WIPO			

## OTHER DOCUMENTS (including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	4.	Cooper, A. et al. (1993). "Microcalorimetry and the Molecular Recognition of Peptides and Proteins," <i>Philos. Trans. R. Soc. Lond. Ser. A-Math. Phys. Eng. Sci.</i> 345:23-35.
	5.	Cooper, A. et al. (1994). "Isothermal Titration Microcalorimetry" Chapter 11 <i>In Methods in Molecular Biology: Microscopy, Optical Spectroscopy, and Macroscopic Techniques</i> Jones, C. et al. eds. Humana Press: Totowa, NJ. 22:137-150.
	6.	Cooper, A. (1998). "Microcalorimetry of Protein-Protein Interactions" Chapter 7 <i>In Biocalorimetry: The Applications of Calorimetry in the Biological Sciences</i> , Ladbury, J.E. et al. eds. John Wiley & Sons, Ltd., pp 103-111.
	7.	Cooper, A. (1999). "Thermodynamic Analysis of Biomolecular Interactions," <i>Curr. Opin. Chem. Biol.</i> 3:557-563.
	8.	Goldstein, B.P. et al. (December, 1987). "A40926, A New Glycopeptide Antibiotic with Anti- <i>Neisseria</i> Activity," <i>Antimicrobial Agents and Chemotherapy</i> 31(12):1961-1966.
	9.	McPhail, D. et al. (1997). "Thermodynamics and Kinetics of Dissociation of Ligand-Induced Dimers of Vancomycin Antibodies," <i>J. Chem. Soc.-Faraday Trans.</i> 93(13):2283-2289.
	10.	Wiseman, T. et al. (1989). "Rapid Measurement of Binding Constants and Heats of Binding Using a New Titration Calorimeter," <i>Anal. Biochem.</i> 179:131-137.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.